

## Nuclear Regulatory Commission

## § 170.21

referenced, or if all costs are not recovered, within five years after the date of the preliminary design approval (PDA) or the final design approval (FDA), the applicant shall pay the costs, or remainder of those costs, at that time;

(B) In the case of a design which has been approved and for which an application for certification is pending, no fees are due until after the certification is granted. If the design is not referenced, or if all costs are not recovered, within fifteen years after the date of certification, the applicant shall pay the costs, or remainder of those costs, at that time.

(C) In the case of a design for which a certification has been granted, if the design is not referenced, or if all costs are not recovered, within fifteen years after the date of the certification, the applicant shall pay the costs for the review of the application, or remainder of those costs, at that time.

(f) *Special Project Fees.* Fees for applications for special projects such as topical reports are based on the full cost of the review and are payable upon notification by the Commission. The NRC intends to bill each applicant at quarterly intervals until the review is completed. Each bill will identify the applications and the costs related to each.

(g) *Inspection fees.* Fees for all inspections subject to full cost recovery will be assessed on a per inspection basis for completed inspections and are payable, on a quarterly basis, upon notification by the Commission. Inspection costs include preparation time, time on site, and documentation time and any associated contractual service costs, but exclude the time involved in the processing and issuance of a notice of violation or civil penalty.

(h) *Method of payment.* Fee payments shall be made by check, draft, money order or electronic fund transfer made payable to the U.S. Nuclear Regulatory Commission. Where specific payment instructions are provided on the bills to applicants or licensees, payment should be made accordingly, e.g., bills of \$5,000 or more will normally indicate payment by electronic fund transfer.

(i) *Part 55 review fees.* The costs for part 55 review services will be subject

to fees based on NRC time spent in administering the examinations and tests that are generally given at the reactor site and any related contractual costs. The costs also include related items such as preparing, reviewing, and grading of the examinations and tests. The NRC intends to bill the costs at quarterly intervals to the licensee employing the operators.

[43 FR 7218, Feb. 21, 1978, as amended at 49 FR 21302, May 21, 1984; 53 FR 52648, Dec. 29, 1988; 54 FR 15399, Apr. 18, 1989; 55 FR 21179, May 23, 1990; 55 FR 23836, June 12, 1990; 56 FR 31499, July 10, 1991; 57 FR 13630, Apr. 17, 1992; 61 FR 16214, Apr. 12, 1996]

### § 170.20 Average cost per professional staff-hour.

Fees for permits, licenses, amendments, renewals, special projects, Part 55 requalification and replacement examinations and tests, other required reviews, approvals, and inspections under §§ 170.21 and 170.31 that are based upon the full costs for the review or inspection will be calculated using the following applicable professional staff-hour rates:

Reactor Program (§ 170.21 Activities).	\$131 per hour.
Nuclear Materials and Nuclear Waste Program (§ 170.31 Activities).	\$125 per hour.

[62 FR 29207, May 29, 1997]

### SCHEDULE OF FEES

### § 170.21 Schedule of fees for production and utilization facilities, review of standard referenced design approvals, special projects, inspections and import and export licenses.

Applicants for construction permits, manufacturing licenses, import and export licenses, approvals of facility standard reference designs, requalification and replacement examinations for reactor operators, and special projects and holders of construction permits, licenses, and other approvals shall pay fees for the following categories of services.